

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

03/08/2004 LWONDIM1 00000099 10792121

01 FC:1001	-770.00 OP
02 FC:1202	-90.00 OP
03 FC:1201	-86.00 OP

Adjustment date: 06/16/2004 EEKUBAY1

03/08/2004 LWONDIM1 00000099 10792121	
01 FC:1001	-770.00 OP
02 FC:1202	-90.00 OP
03 FC:1201	-86.00 OP

03/08/2004 LWONDIM1 00000100 041679 10792121

01 FC:1201 86.00 DA

06/16/2004 EEKUBAY1 00000011 10792121

01 FC:2001	385.00 OP
02 FC:2202	45.00 OP
03 FC:2201	43.00 OP

Repln. Ref: 06/16/2004 EEKUBAY1 0012575500

DA# 041679 Name/Number: 10792121

FC: 9204 \$473.00 CR

PTO-1556

(5/87)

**BEST AVAILABLE COPY****ATTORNEY DOCKET NO. E1821-00002****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Chung Zen Chen

Serial No.: 10/792,121

Group Art Unit: not yet known

Filed: March 3, 2004

Examiner: not yet known

For: **OVERERASE CORRECTION IN FLASH EEPROM MEMORY****CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that this correspondence and the documents referred to as attached therein are being sent via facsimile transmission to 703-308-5077, under 37 C.F.R. §1.8.

May 19, 2004  
Date  
Joseph A. Powers  
JOSEPH A. POWERS, Registration No. 47,006

Refund Department  
Commissioner for Patents

**REQUEST FOR REFUND**

Dear Sir:

According to 37 CFR 1.27 and 1.28(a), the Elitemt Semiconductor Memory Technology Inc., the assignee of U.S. Patent Application Serial No. 10/792,121, asserts its entitlement to small entity status and requests a refund of the excess amount of the filing fee incorrectly paid as large entity.

On March 3, 2004, a check in the amount of US \$986.00 was sent by U.S. Post Office Express Mail to U.S. Patent and Trademark Office together with a utility patent application with the title of "Overerase Correction in Flash EEPROM Memory" and under the attorney docket number of E1821-00002. The application is now assigned Application Serial Mo. 10/792,121. A total of \$946.00 was paid for application filing and claim fees, with \$40.00 paid for assignment recordation. Please refer to the attached copy of fee transmittal for the breakdown of payments. Because the Assignee is qualified as a small entity with less than 500 employees and has no obligation to assign or license the invention or application to an entity that cannot claim

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ATTORNEY DOCKET NO. E1821-00002


small entity status, the U.S. Patent and Trademark Office large entity utility filing fees were paid in error. Please refund the overpayment amount to Duane Morris LLP's deposit account number 04-1679.

Applicant respectfully requests a refund in the amount of one half of the filing fee in the amount of \$473.00.

Thank you for your attention to this matter. If you have any question, please feel free to contact Applicant's attorney, Joseph A. Powers at 215-979-1842.

Respectfully submitted,

DATE: May 19, 2004

  
\_\_\_\_\_  
Joseph A. Powers  
Registration No. 47,006  
Attorney for Applicant(s)

DUANE MORRIS LLP  
One Liberty Place  
Philadelphia, PA 19103-7396  
Telephone: 215-979-1842  
Fax: 215-979-1020

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**Duane Morris**

DUANE MORRIS LLP  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103-7396  
PHONE: 215.979.1000  
FAX: 215.979.1020

**FACSIMILE TRANSMITTAL SHEET**

**TO:** Refund Department

**FIRM/COMPANY:** U.S. Patent and Trademark Office

**FACSIMILE NUMBER:** 703-308-5077

**CONFIRMATION  
TELEPHONE:** 703-305-4229

**FROM:** Joseph A. Powers

**DIRECT DIAL:** 215.979.1842

**DATE:** May 19, 2004

**USER NUMBER:** 1983

**FILE NUMBER:** E1821-00002

**TOTAL # OF PAGES:** 4  
(INCLUDING COVERSHEET)

**MESSAGE:** U.S. Patent Application Serial No. 10/792,121

NOTE: Original will NOT follow.

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If there is a problem with this transmission, please call us as soon as possible at 215.979.1021.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$ 986.00)****Complete if Known**

Application Number	
Filing Date	herewith
First Named Inventor	Chung Zen Chen
Examiner Name	
Art Unit	
Attorney Docket No.	E1821-00002

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
04-1679  
Deposit Account Name  
Duane Morris LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1) (\$ 770.00)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
25	-20 = 5	18	90
4	-3 = 1	86	86

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) (\$ 176.00)**

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2520 1,260	For filing a request for ex parte reexamination	
1804 920*	2804 460*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 920*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	2451 755	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 840	2503 420	Plant issue fee	
1460 130	2460 65	Petitions to the Commissioner	
1807 50	2807 25	Processing fee under 37 CFR 1.17(g)	
1806 180	2806 90	Submission of Information Disclosure Stmt	
8021 40	2801 20	Recording each patent assignment per property (times number of properties)	40.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for expedited examination of a design application	

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 40.00)****SUBMITTED BY**

Name (Print/Type)	Joseph A. Powers	Registration No. (Attorney/Agent)	47,006	Telephone	215-979-1842
Signature	<i>Joseph A. Powers</i>	Date	March 3, 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.